

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 8th August 1950.

The House met in the Council Chamber, Fort St. George, at 2-30 p.m., Mr. Chairman (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Construction of a dam across the South Pennar in Sathanur limits.

* 7 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Public Works be pleased to state at what stage the proposal for the construction of a dam across the South Pennar in Sathanur limits to impound water required for irrigation purposes is?

THE HON. SRI M. BHAKTAVATSALAM:—“The scheme has been investigated and the plans and estimate prepared are under scrutiny in the Chief Engineer’s office.”

SRI R. SURYANARAYANA RAO:—“May I know, Sir, whether the scheme, when the plans and estimates are approved, will be included in the list of those which the Hon. the Minister gave at the time when the Budget was presented?”

THE HON. SRI M. BHAKTAVATSALAM:—“Yes, Sir. I do expect that after the scrutiny and other preliminaries are over, the scheme will be taken up in the course of the year.”

Higher Judicial Service.

* 8 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state—

(a) whether rules governing Higher Judicial Service have been framed and if so, what they are;

(b) what will be the strength of the cadre;

(c) whether it is proposed to provide for direct recruitment and if so, what the proportion of direct recruits will be;

(d) whether the District Magistrates working under the Separation Scheme will form part of the Higher Judicial Service;

(e) what the scales of pay proposed for the Higher Judicial officers are; and

(f) whether the District Magistrates under the Separation Scheme will be entitled to the same scales of pay as the District Judges?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) No.

“(b) Does not arise.

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“(c) Yes. It is not possible to say what the proportion will be as no decision has been reached in the matter.

“(d) No.

“(e) The scale of pay for District Judges will be Rs. 1,000—60—1,300—50—1,800.

“(f) No. The scale of pay of District Magistrates will be Rs. 800—100/2—1,000.”

SRI R. SURYANARAYANA RAO :—“ May I know, Sir, when the Government expect to formulate rules governing higher judicial services? ”

THE HON. SRI K. MADHAVA MENON :—“ I cannot say definitely when it will be done. The High Court had been consulted and they wanted time till the re-opening of the court. As soon as we receive the recommendations of the High Court we shall decide upon the rules.”

SRI R. SURYANARAYANA RAO :—“ Is not the salary of District Magistrates in districts where separation of judiciary from the executive has not been effected the same as that of the District Judges? ”

THE HON. SRI K. MADHAVA MENON :—“ The District Judges are started on Rs. 1,000 and the grade goes up to Rs. 1,800, while the District Magistrates in the ‘separation areas’ get a starting salary of Rs. 800.”

SRI R. SURYANARAYANA RAO :—“ My question relates to non-separated areas? ”

THE HON. SRI K. MADHAVA MENON :—“ In the case of District Judges the starting salary is Rs. 1,000. In the case of Collectors and District Magistrates it is Rs. 800 if they are I.A.S. men and in the case of I.C.S. men they draw their grade pay.”

SRI R. SURYANARAYANA RAO :—“ Am I right in saying, Sir, that a listed post holder acting as Collector and District Magistrate in a district where separation has not been introduced does not draw the same salary as the District Judge? ”

THE HON. SRI K. MADHAVA MENON :—“ It all depends upon when the officer was listed. If he has been listed and subsequently taken into the I.A.S. he gets the senior scale of pay. If the listed officer became a Collector before the formation of the I.A.S. and not taken into it he will draw the same pay as he was originally drawing.”

SRI R. SURYANARAYANA RAO :—“ May I know, Sir, whether in the selection of District Magistrates, the case of senior Subordinate Judges is considered? ”

THE HON. SRI K. MADHAVA MENON :—“ Yes, Sir. We do certainly consider their cases. We have issued orders

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that only those who lie, in point of seniority, in between the Subordinate Judges and District Judges should be selected as District Magistrates."

SRI R. SURYANARAYANA RAO :—" Are not District Magistrates liable to transfer as District Judges either as a routine or in some proportion? "

THE HON. SRI K. MADHAVA MENON :—" Only those Subordinate Judges who are in the panel of District Judges are appointed as District Magistrates so that when they come to the stage of becoming District Judges they will be automatically promoted provided, of course, there is no particular reason why promotion should be withheld."

Supply of adequate water to the existing ayacuts by increasing the capacity of storage tanks.

* 9 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether, in increasing the capacity of storage tanks, the main purpose is to ensure adequate supply to the existing ayacut;

(b) what steps, if any, are taken to prevent increase in ayacut and thereby ensure adequate supply to the existing ayacut; and

(c) whether the Government are in receipt of representations protesting against the proposed increase in ayacut in respect of certain tanks?

THE HON. SRI H. SITARAMA REDDI :—" (a) This is the correct position.

" (b) The Board and the Chief Engineer (Irrigation) have been instructed to see that the registered ayacuts of tanks are not increased unless some experience has been gained of their capacity after they have been repaired or improved. The Government, however, consider that there is no objection to supply being made to new fields, without any guarantee of future supply if the repairs or improvements result in a surplus quantity of water, which can be usefully diverted to new fields.

" (c) No such representations have hitherto been received."

Appointments outside the purview of the Madras Public Service Commission.

* 10 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Chief Minister be pleased to state—

(a) whether there are departments of Government for which even initial recruitment is outside the purview of the Public Service Commission and if so, what those departments are;

(b) what the overriding considerations are to keep them outside the purview of the Public Service Commission;

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(c) whether the Government have at any time considered the desirability of transferring recruitment to all departments to the Public Service Commission; and

(d) whether there is any proposal to increase the strength of the Public Service Commission?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—“(a) It is presumed that the information sought is not merely regarding the departments but also in regard to individual posts or the categories of posts, recruitment to which has been excluded from the Commission's purview. Attention is invited to the list of such posts given in Annexure I to the Madras Public Service Commission Regulations, 1937 at pages 11 to 13 of the Madras Services Manual, Volume I. Besides these posts, the administrative departments of Government concerned have also excluded some posts from the Commission's purview with its concurrence under Regulation 18 (b) of the Commission's Regulations. The Manual is available for reference at the Library of the Madras Legislature and also at the Secretariat Library.

“(b) The principles generally observed in excluding posts from the Commission's purview are—

(1) that the posts are unimportant and the holders thereof will not normally be promoted to the Provincial Services; and

(2) that the posts are isolated or of a special or technical nature.

“(c) The power to exclude posts from the Commission's purview is exercised very sparingly and for special reasons and whenever the excluded posts assume importance or there is change in their nature, the question of bringing them within the Commission's purview is duly considered. Such a survey was recently conducted as a result of which some posts which were outside the Commission's purview were brought within its purview.

“(d) The answer is in the negative.”

SRI R. SURYANARAYANA RAO :—“Is the information, Sir, regarding the review made of posts that have been brought within the purview of the Service Commission also available in the volume referred to by the Hon. the Minister for Law?”

THE HON. SRI K. MADHAVA MENON :—“I do not think that is available in the volume. If a separate question is put I shall supply the information.”

Austerity measures to conserve the meagre food supplies.

* 11 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Food be pleased to state—

(a) what austerity measures are being enforced in order to conserve the meagre food supplies available;

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(b) whether rations for special occasions such as marriages, funerals, etc., are being regulated according to rules and if so, what they are;

(c) who the authorities competent to sanction these special rations are;

(d) whether there have been occasions when the Government themselves relaxed the rules governing rations for special occasions and if so, what the special circumstances are which necessitated such relaxation;

(e) whether in the recent marriage season in the months of April, May and June the rules were relaxed in the City of Madras in respect of certain persons and if so, to what extent and for what reasons;

(f) what arrangements exist to enforce the austerity measures generally and in the case of relaxation of rules, for their proper enforcement to the extent relaxed;

(g) whether prosecutions have been launched in the recent months for violation of ration rules governing special occasions and if so, in how many cases; and

(h) whether it is a fact that there is a considerable laxity in enforcement of ration regulations?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“(a) The Government have prohibited the feeding of more than 50 persons at each of the two principal meals on the marriage day. On other days and at other parties feeding of more than 30 persons has been prohibited.

“Feeding of delegates at conferences and holding of subscription parties by clubs and associations do not come within the purview of these orders. Conferences are treated as temporary establishments and rations are allowed for feeding the delegates. No extra rations are granted for subscription parties held by clubs and associations.

“(b) Yes. The quantity of foodgrains now allowed for certain special functions is as follows :—

Name of function.	Quantity allowed.
Marriages	Fifty persons at two units each.
Funerals	Fifty persons at one unit each.
Upanayanams	Six persons at two units each.
Shradda	Four persons at one unit each.
Ramzan	Six persons at one unit each.
Bakrid	Do.
Easter	Do.
Christmas and New Year.	Do.

“It has only recently been decided at the instance of the Government of India to allow rations for feeding 50 persons at 2 units each in respect of marriages and at 1 unit each in respect of funerals as against 60 units for marriages and 10 units for funerals in force in this State.

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" (c) The respective Circle Rationing Officers in statutorily rationed areas and the concerned Civil Supplies officials in other areas are competent to sanction the special rations at the scales prescribed by Government. Regarding the increased scale of supply of rations for marriages and funerals referred to in answer to clause (b) of the question above, necessary instructions are being issued to the authorities competent to sanction special rations.

" (d) Yes. The Government have been relaxing these limits of feeding in respect of religious festivals in temples and mutts, as it is a time immemorial custom in South India to conduct feeding on festival days and as complete stoppage of feeding will mean interference with the religious usages.

" (e) No.

" (f) The rationing staff in the statutory rationed areas and the Civil Supplies staff in other areas are expected to watch and enforce these rules.

" (g) Information not readily available.

" (h) Government are not aware of any laxity in the enforcement of ration regulations. Violation of ration rules will be dealt with suitably if brought to the notice of the officers concerned."

SRI R. SURYANARAYANA RAO:—" May I know, Sir, whether the Government have instructed the rationing officers that they should see that the austerity measures including those that have been modified at the instance of the Government of India are strictly enforced in view of the food crisis? "

THE HON. SRI J. L. P. ROCHE VICTORIA:—" Yes, Sir."

Retiring age of Gazetted Officers.

* 12 Q.—JANAB ABDUL LATIF FAROOKHI: Will the Hon. the Minister for Finance be pleased to state—

(a) the prescribed retiring age of Gazetted Officers of the Madras State other than the All-India Services; and

(b) whether any rule is being prescribed for raising the retiring age of any officer now in service and if so, the reasons therefor?

THE HON. SRI B. GOPALA REDDI:—" (a) Gazetted Officers of the Madras State other than those belonging to All-India Services are required to retire on attaining the age of 55.

" (b) No."

2-45 JANAB ABDUL LATIF FAROOKHI:—" Have the Govern-
 P. 11. ment any statistics of officers whose terms of office have been extended after the age of 55 years? "

THE HON. SRI B. GOPALA REDDI:—" I think specific questions were asked and answers were laid on the table showing the number of super-annuated officers whose terms were extended beyond the age of 55."

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JANAB ABDUL LATIF FAROOKHI :—“ Are the Government aware of the feeling in certain sections of the public that certain officers are being given extension after extension? ”

THE HON. SRI B. GOPALA REDDI :—“ Yes, Sir, it is a fact that we had to give some extensions to some officers because there were not suitable men to take their places and the exigencies of the service required that we should continue the existing officer for some time more.”

SRI R. SURYANARAYANA RAO :—“ May I know whether it is the policy of the Government to give extension of service or re-employment? ”

THE HON. SRI B. GOPALA REDDI :—“ Generally, Sir, it is re-employment; on rare occasions it may be extension of service.”

JANAB ABDUL LATIF FAROOKHI :—“ Are we to understand that extensions are given because suitable officers are not found to take the place of these officers? ”

THE HON. SRI B. GOPALA REDDI :—“ Yes, Sir.”

SRI R. SURYANARAYANA RAO :—“ Is this extension or re-employment confined to technical service officers only? ”

THE HON. SRI B. GOPALA REDDI :—“ Mostly to technical officers, especially in the Public Works Department where supervisors and draughtsmen are given extensions. In rare cases, it may be other people also.”

DR. SYED TAJUDDIN :—“ May I know, Sir, why the junior officers should not be appointed to these posts? ”

THE HON. SRI B. GOPALA REDDI :—“ They are junior officers and therefore they cannot be sometimes promoted to the senior places.”

DR. SYED TAJUDDIN :—“ I mean only those who are fit to be promoted and to occupy those places.”

THE HON. SRI B. GOPALA REDDI :—“ If they are fit to be promoted, we will certainly promote them and retire the senior officers. But if the junior officer is such a junior as not to be able to take the place of the senior who is retiring, then we give him an extension.”

Preparation of electoral rolls for both the Houses of the State Legislature.

* 12-A Q.—SRI R. SURYANARAYANA RAO :—Will the Hon. the Minister for Finance be pleased to state—

(a) how far the arrangements for the preparation of electoral rolls for both the Houses of State Legislature have progressed and when the final electoral rolls are expected to be ready;

(b) what arrangements exist for the elimination of the dead and the disqualified from the preliminary rolls;

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(c) whether it is proposed to set up a permanent machinery to keep the electoral rolls up-to-date; and

(d) whether the Government will make a full statement of the various steps taken for the preparation and publication of electoral rolls and ensure their correctness in respect of both the Houses of State Legislature?

THE HON. SRI B. GOPALA REDDI :—“(a) The printing of the draft electoral rolls for the Madras Legislative Assembly and the Union House of the People on the basis of adult suffrage prepared after the enumeration of voters in 1948 is almost complete. As the Representation of the People Act, 1950, since enacted by the Parliament, liberalized the franchise qualifications, a supplementary enumeration of voters was conducted in June 1950 and the work of preparation of the supplementary draft electoral rolls is now in progress. The draft electoral rolls for the Local Authorities', Graduates' and Teachers' Constituencies of the Madras Legislative Council are also under preparation. It is expected that these draft rolls will be ready for publication as the preliminary electoral rolls by about the middle of September 1950. After the disposal of claims and objections, the final rolls will be published by about the middle of February 1951.

“(b) During the supplementary enumeration of voters a separate list of deceased voters has been prepared. The draft rolls now prepared will be published, as they are, as the preliminary electoral rolls, and after such publication, the Electoral Registration Officer will apply to the Revising Authority for the removal from the rolls of the names of the deceased voters and of persons who are subject to any disqualification.

“(c) The electoral rolls under preparation, when finalized, will remain in force till the 30th September 1952 and the rolls will be revised every year from 1952 onwards. There is no proposal at present to set up a permanent machinery for the revision of the rolls and the question of the machinery necessary will be decided in due course with reference to the statutory rules regarding the revision of the rolls recently promulgated by the Central Government.

“(d) A statement ^a is laid on the table of the House.”

JANAB K. T. M. AHAMED IBRAHIM :—“Sir, when steps are taken for the elimination of the dead and the disqualified from the preliminary rolls, may I know whether adequate notice will be given?” (Laughter.)

THE HON. SRI B. GOPALA REDDI :—“If any such person has given his address ‘care of’ somebody, the information will be intimated to him.”

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JANAB K. T. M. AHAMED IBRAHIM :—" In some cases, living persons have been classed among the dead. It is why I asked whether some notice will be published."

MR. CHAIRMAN :—" Again, the hon. Member may suggest a method of giving notice."

JANAB K. T. M. AHAMED IBRAHIM :—" I suggest that notices may be published in the villages concerned."

THE HON. SRI B. GOPALA REDDI :—" The dead had better take charge of these people, Sir."

MR. CHAIRMAN :—" He suggests that when the preliminary rolls are published a list of those who are said to be dead may also be published."

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—MESSAGE FROM H.E. THE GOVERNOR.

MR. CHAIRMAN :—" I have to inform the House that I have received the following Message from His Excellency the Governor, dated 8th August 1950 :—

' Dear Mr. Chairman,

I have received with great satisfaction your resolution of thanks for the Address with which I opened the present session of the Legislature.

Yours sincerely,
Krishna Kumar Sinhji.' "

III.—ELECTION OF ONE MEMBER TO THE PROVINCIAL LIBRARY COMMITTEE.

MR. CHAIRMAN :—" I have to announce to the House that Sri Maddi Sudarsanam is the only candidate duly nominated for a seat in the Provincial Library Committee. I hereby declare him duly elected."

IV.—GOVERNMENT RESOLUTION.

DELIMITATION OF CONSTITUENCIES AND THE CONDUCT OF ELECTIONS TO LEGISLATURES—cont.

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, I think the House will express its thanks to the Hon. the Finance Minister for the opportunity he has given us to have our say in this matter and also for the very lucid manner in which he has tried to explain the whole position to this House. I can see that the Hon. the Finance Minister was labouring under many difficulties, not the least of which was due to the Constitution itself which is as vague as it can be. It is most regrettable that when the Constitution was framed, there were not persons who were fit and able, by virtue of their knowledge of Constitution-making in other countries to advise in an impartial manner, the Constituent Assembly that was set up for some other purpose and which later on transformed itself into an Assembly for the framing of the Constitution. It is too late in the day for us to regret it, but I venture to state that if Constitution making had gone on on the same

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orthodox lines as in many other countries like South Africa, Australia and Canada—to mention only a few—if there had been an independent body of legal talents with knowledge pertaining to Constitution-making, the dreadful mistakes into which we have floundered in this particular Constitution, would not have occurred. Sir, I have accepted the Constitution with no mental reservations. I am entitled to say as a person who is not a lawyer that this Constitution bristles with difficulties and is intended to create more and more difficulties.

“ To illustrate this point, Sir, let me take the particular article which deals with Elections. In Part XV of the Constitution, it is stated in Article 324 (1) as follows :—

‘ 324. (1). The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the offices of President and Vice-President held under this Constitution, including the appointment of election tribunals for the decision of doubts and disputes arising out of or in connexion with elections to Parliament and to the Legislatures of States shall be vested in a commission (referred to in this Constitution as the Election Commission).’

That is the only article which gives us an idea of the powers and duties of the Election Commissioner. I was therefore surprised when the Hon. the Finance Minister told us that so far as he was concerned, the Election Commissioner and the Government of India would be the ultimate authorities to give directions to this Government. I see nothing in the Constitution to warrant such a presumption. On the other hand, Sir, hon. Members may kindly refer to Articles 327 and 328.

‘ 327. Subject to the provisions of this Constitution, Parliament may from time by law make provision with respect to all matters relating to, or in connexion with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls . . .’

This is what I want my hon. Friend to note.

‘ Including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses.’

The next article says :

‘ 328. Subject to the provisions of this Constitution and in so far as provision in that behalf is not made by Parliament, the Legislature of State may from time to time by law make provision with respect to all matters relating to, or in connexion with, the elections to the House or either Houses of the Legislature of the State . . .’

“ Sir, I find nothing in these articles to warrant the assumption of the Hon. Minister that the Election Commissioner is the superior authority to this legislature or that the Government of India is the superior authority to this legislature. My contention is that the only authority in regard to the framing of the electoral rolls and the conduct of elections in general and the delimitation of constituencies in particular is Parliament, and if Parliament does not make suitable provisions in these regards, in all States it is left to the Legislature of the State concerned to do it and not to the Election Commissioner or to the Government of India. I think we must keep the Constitution well in our minds in trying to see how far we can give away our liberties which we have been freely giving away in the past.

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“Sir, the next point I would like to mention is this. The Election Commissioner came here and held conferences. Who were the people who were invited to the Conference? The leaders of parties or people who were supposed to represent parties and people who owe some allegiance to this party or that party. In my view, the chief persons who are most interested in the elections are those who do not belong to any party, because they can bring to bear an independent mind and a fresh outlook towards these questions which the party people are incapable of bringing, not because they have any personal weaknesses, but because party mandates and very many other things come in their way. I do not quarrel with it. That is the way of the world and that is how we have been proceeding in these matters of elections.

“Sir, the Hon. the Finance Minister gave us an exhaustive account of what he considered to be the fundamentals in regard to elections. I had the privilege of listening to him yesterday, and in order to refresh my memory and grasp the points without any doubt whatsoever, I have carefully gone through his speech so well reported in one of the morning dailies. The first point that he tried to make out was that there was an extension of franchise. We realize that the franchise has been extended and we are going to have adult suffrage, more or less suddenly from the very, very limited franchise. Adult suffrage is an experiment that has never been tried in any other country in the world and an experiment also in another respect which is unique in its possibilities and potentialities. Sir, no civilized country in the world has given adult suffrage to voters, 80 per cent of whom are illiterate.”

THE HON. SRI K. MADHAVA MENON :—“Travancore State has given it.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“But 80 per cent of the people are not illiterate there. My point is that Travancore, like the United States and the United Kingdom has given adult suffrage when the majority of the people are literate. I entirely agree with my Hon. Friend, the Law Minister, but in this particular case we are giving adult suffrage to an electorate, 80 per cent of whose members are illiterate. I would like to be corrected if I am wrong. We must clearly understand that we are jumping from a very, very limited franchise to a franchise of a scope unexampled in the democracies of the world. We should also realise that the franchise is given to an electorate 80 per cent of whom are illiterate. These ought to be borne in mind.

“The Hon. Minister has drawn our attention to another unique feature of the Constitution. We accept it and I am not quarrelling with it at present. That feature is that we have done away with special electorates. We have done away with communal electorates for Indian Christians and Muslims. We have also done away with representation for many other interests which the Hon. the Finance Minister mentioned in his speech. The

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Constitution has removed representation for special interests such as women. They do not want it. They were vociferous in asking that they should not be treated in any different manner. I am glad and I congratulate them on that. The Constitution has also removed representation in regard to Labour, Landholders, Commerce and Universities. I want this fundamental fact to be kept in mind when we are considering how we should approach this question of electoral reform under the present circumstances. Remember that we have removed it because we do not want special representation; but I do not think anybody will challenge me when I say that it is desirable that members who are women should be made available in the Legislatures; members who represent labour should be in the Legislatures; members who represent landholders—I do not know whether there may be any doubts in the party in power to-day, but I for one think that the landholders, in spite of all their vicissitudes and fortunes, are still able to give a point of view that may be useful in this House, Landholders as well as Commerce, Universities. Well, I do not at all doubt the fact that when 80 per cent of the voters are illiterate, the Universities may have no place in this Legislature (laughter) and perhaps it would be as well. In any case, the point I want to emphasize and I want this House to grasp is that when you have done away with all these interests and when you are for the first time experimenting in a manner that—I repeat again—has never been thought of in any civilized country where there are the same conditions—all these you must think of, so that the avalanche of adult suffrage may not land you in a morass which you little expected at the time when for the sake of keeping abreast of the times and showing to the world in paper how enlightened you are, the Constituent Assembly rushed to the conclusion that adult suffrage was a good thing. Sir, many of us are carried away by slogans. The whole trouble with this world is slogans and it is increasing every day—and I am not surprised that given the same ideas, slogans have prejudiced the minds of men who are a little more greedy. My point in referring to it is this: the necessity for taking steps to see that this adult suffrage will not be like the churning of the ocean resulting in not nectar turning up, but something else. In those good old days there was somebody to drink this poison; but to-day I wonder if the Congress Party or any other party in the Legislature will have sufficient courage to drink this poison when it comes. Sir, I am saying it with reference to the question that the hon. Member discussed at great length. He referred to the question of single-member constituencies and multiple-member constituencies and he spoke with great warmth about the desirability of having single-member constituencies. He said that single-member constituencies would reflect the opinion of that particular constituency, that the member concerned would be in a position to go to that constituency and say what exactly he has done and that therefore single-member constituencies were undoubtedly far superior to multiple-member constituencies that may be set up. He referred also to the fact that to the State Legislature, a

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district may send two representatives who may belong to two different parties. Now, what will a single-member representative mean? In the Nellore district itself, Buchireddipalayam as a single-member constituency may send a person with one type of political ideology; Gudur on the other hand, may send one of another type of political ideology and in the district which my hon. Friend Mr. Govindachari comes from, there may be a third kind of ideology that may come in. Can you therefore say that Nellore represents a particular ideology or Krishna represents a particular ideology? This is a question of ideal for a particular individual member and constituency has no relevancy whatsoever. Members may come to the Legislature and change their seats after becoming members of the Legislature. Such things have happened. Could you then say that it is possible for a member to go to his constituency and say what he represents and what his views are? The truth of the matter is that in all these cases, it will depend on the individual concerned—how far he is in touch with a particular subject, and how far he is not in touch with that particular subject. Sir, this question of single-member constituencies and multiple-member constituencies has been dealt with in other constitutions as well. I should like to state that we are not the only persons who are troubled with this particular question. When you have—and I feel quite correctly—done away with special representation, it does not mean that you should not take note of the fact that these special representations mean that there are special representatives who yet must have a chance, and a reasonable chance, of coming through your general electorates.

“ Let me give you something from the Constitution of Ceylon that has come into being in recent years. That Constitution will be an eye-opener to many members who may care to read it and compare it with our own Constitution. The Constitution of Ceylon was framed under the advice and guidance of one of the most eminent constitutional lawyers of the day, Sir Ivor Jennings, at present the Vice-Chancellor of the University of Ceylon. Speaking about these single and multiple constituencies, Sir Ivor Jennings, after referring to the territorial constituencies—which I shall refer to later on—states as follows :—

“ In agricultural countries like South Africa and Australia, there is the additional factor that the rural population on whom the wealth of the country largely depends, must be given some weightage against the more concentrated and more highly organized urban population; and in the Union of South Africa there is the additional factor that the farmers are mainly Afrikaner while the townsmen contain a higher proportion of people of British origin. It was realized that if the same principle was applied in Ceylon there would be several advantages. First, and most important, it would provide increased representation for minority communities without introducing communal representation, to which the Ministers were opposed. The Tamils and Muslims are mainly in the comparatively sparsely populated Northern and Eastern Provinces, while the Indians are mainly in Uva and Sabaragamuwa Provinces. It will be seen that these four provinces obtain 13 of the 25 additional members.”

“ Sir, if hon. Members were to refer to the Constitution of Canada, which is another of those States where such differences do exist,—let us not think that it is only in India that such differences exist—there are such differences in Canada, differences

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between the French Canadians and the English Canadians are as pronounced as differences can be between any two different sections of the people, based on religion, caste or community. It is stated there that in order that these people may have reasonable chance of getting into the Legislatures, special provision was made through representation, not by any direct method of representation of the interests concerned, but by constituting the constituencies, giving them not single-member constituencies, but multiple-member constituencies, to go into the Legislature in a reasonable degree, so that their views also may be utilized. The Hon. the Finance Minister in a moving speech towards the close said that it would be the duty of the Congress Party to see that those sections of the people who had been denied separate electorates were not lost in the electoral contest, and that something would be done to safeguard their interests. I would add my congratulations to him on the cosmopolitan outlook that he has brought to bear, but may I say that he may not be able to deliver the goods? It is one thing for the party or for any political party to put up candidates, it is quite another thing for that party to ensure that the candidate will be returned in the election. Forces are at work, prejudices are so largely brought to bear particularly at the time of elections, that there can be no question whatsoever that with the best of intentions, the Congress Party or any other political party may find that it is not in a position to deliver the goods. I will not say that good intentions are in themselves bad, but I will certainly say that it requires more than the assurance given by the Hon. Finance Minister, to suggest that the varied interests can be represented in the Legislatures of our country.

"Sir, the next point that the hon. Member spoke of was delimitation of constituencies."

MR. CHAIRMAN:—"While on this, may I know what the hon. Member suggests to bring in ladies?" (Laughter.)

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, I am very much afraid of speaking on their behalf. I have always thought that discretion was the better part of valour, especially with two of them sitting behind me—and I cannot see them now: but I would like to state that women are so strong everywhere that I think they will conquer more seats than men can do. (Interruption.) My forty years of intimate experience with the psychology of that sex, is not lightly to be thrown away. But I shall now proceed.

"Sir, the most important thing is the delimitation of constituencies. All else pales into insignificance before it. The Hon. Minister has not referred to anything relating to delimitation of constituencies; he has tried to make it that the Election Commissioner will somehow or other delimit constituencies and also that the Government are trying to delimit the constituencies and send up their proposals to the Election Commissioner and for the time they are confidential. I fail to understand why they should be confidential; on the other hand, it is the duty of the Government to tell

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us everything; there can be nothing confidential from this House. The hon. Member says that on a future occasion he will let us know; what we want to know is not whether Repalle belongs to this particular group or that particular group, but have you had any principles at all in trying to see what these delimitations are to be. May I, in this connexion, suggest certain principles? Here again, let me refer to the Constitution of Ceylon. As I said, our Constitution is unfortunately very vague and sadly deficient in this particular respect. Who is to decide about delimitation of the constituencies? Let me quote from Part IV of the Constitution of Ceylon—

‘Within one year after the completion of every general census of the island following the general census of 1946, the Governor shall establish a Delimitation Commission.’

not the Government of Ceylon, please note.

‘Every Delimitation Commission established under this section shall consist of three persons appointed by the Governor-General who shall select persons who he is satisfied are not actively engaged in politics. The Governor-General shall appoint one of such persons to be the Chairman.’

‘If any member of a Delimitation Commission shall die, or resign, or if the Governor-General shall be satisfied that any such member has become incapable of discharging his functions as such, the Governor-General shall, in accordance with the provisions of sub-section (2) of this section, appoint another person in his place.’

I want it to be made known to everybody in the Legislature and in the Centre that the delimitation of constituencies should not be the responsibility of the Government of the day but that it ought to be the responsibility of an impartial body who must be appointed, not by the Government of the State but by the Governor, or the President of the Republic. Let me again quote what has happened”

THE HON. SRI B. GOPALA REDDI:—“I do not know whether the hon. Member has seen the Representation of the People’s Bill that has been adopted by the Parliament and according to some of the sections thereof, delimitation of constituencies is entirely their responsibility and that of the Election Commissioner. The State Government does not come much into the picture.”

DR. A. LAKSHMANASWAMI MUDALIYAR:—“I want to know what is the authority to begin investigation about delimitation of constituencies. It is not a question of who is going ultimately to approve it, but the very fundamentals of the delimitation of constituencies must be in the hands of persons who are not connected with any political party or with the Government of the State. If these fundamental principles have not been acceded to, then our Constitution is very defective in that particular respect.

“Sir, there are other countries which have suffered from this tendency of allowing delimitation of constituencies to be in the hands of the Government. Let me make this quite clear now, and I do not want to repeat it. My observations have nothing to do with the Government of the day; my observations have nothing to do even with this State but my observations are meant to be for

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all-India purposes, for all the States and for those who have the responsibility to take note of them. I am also going to ask at the end of this debate that the discussions of this Council should also be forwarded to those authorities to whom, in the opinion of the Government, they may be forwarded. So, in the criticism that I am going to offer, let not any of my friends think that I am offering criticism against this or that proposal of the Government. I do not know those proposals at all—and I am glad I do not know them till this particular day. This question of the delimitation of constituencies is a new problem with many democratic countries which have ushered it in their own constitutions. Take the question of Canada—

‘The early method of dealing with redistribution was for the Government to introduce into the House a Bill which gave the constitutional allotment of seats and outlined in detail the altered boundaries of the newly drawn constituencies. The Bill was then put through Parliament like any other Government measure. This does not appear at first glance to be very objectionable; but it was accompanied in practice by a shocking abuse of the Government’s power. The Cabinet in 1872, 1882 and 1892 used the opportunity to draw the constituency lines so that they greatly favoured its own party. This was especially flagrant in 1882 when forty-six constituencies in Ontario were gerrymandered, although in this instance popular indignation was so aroused that it is possible the act may have actually recoiled on its creators.

‘The system was altered by Sir Wilfrid Laurier at the redistribution in 1903, when the detailed determination of constituency boundaries was referred by the House to a Select Committee on which both political parties were represented.’

3-15 p.m. That is one of my points. If there is to be a delimitation of constituencies, if there is to be a recommendation for proposals to delimit constituencies, it should not be the responsibility of the party in power, but it should be the joint responsibility of the party in power and the party in opposition.

“Sir, there are other methods which the subsequent framers have followed. One was, that there should be for every place two distinguished persons unconnected with political parties, who would join with the particular Election Commissioner in dealing with the question of delimitation of constituencies.

“Sir, there is another problem that arises out of the delimitation of constituencies. In every other State, for the General Constituency for a Provincial Legislature, at least for our State, there would be about 150 thousand, of whom 75 thousand would be voters and five times this number would probably represent the number for the Central Legislature. How are these 75 thousand voters to be gathered? What are the principles which this Government have in view? Is it by an arithmetical method they could get a constituency which has 75,000 voters or are there any other principles which they would like to adopt or ought to adopt? Have they given their attention to this particular aspect? One of the most important things to remember in this connexion is the difference between rural and urban constituencies. In many constitutions, it has been clearly laid down that, while this number of 75,000 may be the reasonable figure, there should be no exact limitation of numbers and that any general urban constituency should have a larger number and a rural constituency should

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have a smaller number. For purposes of effective canvassing of the voters, the urban constituencies have always an advantage over the rural constituencies.

“ Sir, let me read further. ‘ Two important principles have been generally accepted in Canada as justifying a departure from the general rule of the approximate equality of the constituencies. First, municipal and county boundaries should be followed when at all possible.’ That is one of the most important things. For the sake of collecting 75,000 people, you cannot go into any area, whether rural or urban, and say, I shall take this village or I shall take that village, or the other village and put up together that particular area so as to get 75,000 voters. In that manner of apportioning, there are two dangers. First of all, it will not be such an adult franchise electorate as one would like. Secondly, the manipulations to alter the size of a particular constituency are easy by getting such apportioning of the size of those constituencies. It is for these reasons that a great deal of care has been bestowed by them. ‘ It is considered far wiser to over- or under-represent an area than to dismember districts which have established traditions, long history and strong local pride and character. Secondly, rural areas should be more generously represented than urban, that is, the population of the rural constituencies should be definitely less than that of the City constituencies. This is justified on several grounds.’

“ I shall not read all the grounds, but they are very important grounds and I am sure, on consideration, we shall be in a position to see that they are very fair grounds.

“ Now, Sir, I was referring to the single-member constituency and the multi-member constituency. I have said that apart from the question of any interest based on race or religion, there are important considerations and it is one of the fundamentals that such interests should not be absolutely neglected. No principle is ever lost by having a dual-member constituency with at least restrictive vote. It is true that, when we have multi-member constituencies, we may have the cumulative method of voting, restrictive method and proportional method of representation. (Sri A. Govindacharyulu: ‘ With distributive voting.’) Yes, distributive voting is there. Apart from that, it is true that voting is common. The danger of the cumulative vote is excessive plumping of votes. If there is a four-member constituency, you can very well say that one member can give all the four votes to a particular person. There are, as I said, certain limitations in regard to that which will not be altogether desirable. I discard the question of proportional representation, because of the enlightened nature of our electorate. It is impossible. Therefore, the only other method of dealing with that is by restrictive voting where you give the power to a person to exercise two votes. If he does not choose to do so and confines only to one vote, there must be nothing to prevent him from doing so. Now that restrictive method, which I have said is not a negation of the accepted principle of representation in the Legislature, ought to

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be given, and the only method of giving that restrictive method of voting is by plural-member constituency. I would go further and concede, so that there may be a little more of unity in our nation, that I am not in favour of 'Pancha Pandavas' (as one gentleman has suggested), I am not in favour of five or four or three seats. There should be no difficulty whatsoever in having the dual-member constituency, because such constituencies exist in South Africa, Canada and Australia and the latest example is Ireland. I do not think we can say that those constituencies have been blighted by such a system. I would plead with my colleagues that, when we are trying a new experiment, apart from sectional interests being represented, you must put some obstacles in the way of adult franchise proving, as I said, an avalanche of destruction, instead of construction. If hon. Members feel much more optimistic, I shall not quarrel with them, but I am not prepared to change my view as to what may come out of adult suffrage.

"The Hon. Finance Minister said with regard to some of the experiments that he was going to try, that so far as the elections to the Legislative Council were concerned, the single transferable vote would be conceded. I believe, he said, that it was already in the Constitution and we had, therefore, to accept it. He also added that at least two seats will be open for the single transferable vote. I do not know whether there is any necessity to limit it to a small number. As a matter of fact, the single transferable vote has proved very workable, if not a success in this Presidency. To the Council of State of old, we had the single transferable vote with four seats. But, I can speak with some little knowledge and, if I may, with some authority, that the single transferable vote proved a great success in the University elections where 30 seats have been reserved for the Registered Graduates of the University where over 12,000 voters exercising their franchise with single transferable vote for 30 seats. If that was a success, I do not see any reason why in the Legislative Assembly with 300 odd members, the 25 seats allotted to them should not be on the principle of single transferable vote without trying to delimit the constituency. I do not say that is the intention of the Hon. Minister at present."

THE HON. SRI B. GOPALA REDDI:—"It is indirect election to the Assembly and for the Council, it will be only by the unlimited manner, and for all the 24 seats that are thrown open, they can vote as they like. If you come to local bodies, all the members of the district boards, municipalities and the major panchayats may be on the electoral rolls and if the entire Presidency has to be one constituency, the right to give preference to someone under the single transferable vote, I think, will not work well."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"I was coming to that point. So far as the local bodies are concerned, I would suggest a certain territorial representation which should not exceed, in my opinion, four, probably three will be quite sufficient. I quite realize the necessity for territorial representation

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along with the principle of proportional representation. So also in the case of graduates and teachers, a fairly large territorial representation is much better. My point was that and I do not think the limitation to two—although the Hon. Minister did not say he would limit it to that—but he said not less than two—would be correct, but I wanted to give these people a very much larger number, because the very basis of proportional representation is that the larger the number of seats available, the better will be the results of proportional representation or the privileges."

MR. CHAIRMAN :—" The idea is that, in regard to the graduates and teachers constituency, the number is only six, that is, six from the graduates and six from the teachers and if you divide the area into two and three, it will not be more than two."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" That is true. At the same time, having had experience of the University Graduates' constituency elections on the principle of proportional representation, the registered graduates being from Delhi to Cape Comorin and from Mangalore to Madras, I do not feel there is any insuperable difficulty, not because of the number of seats. While I know the division of local bodies will be on the territorial basis, with a small number given to teachers and graduates, there is not much point in dividing them on a territorial basis, because unlike local bodies, they do not represent any territorial element in that particular constituency."

THE HON. SRI B. GOPALA REDDI :—" We have not yet taken any decision on the matter and we are only waiting for members to give suggestions. Now the enumeration is going on."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Provided this point will be kept in mind when the decision is taken, and when they are making their representations.

" Sir, I am glad the Hon. Minister has suggested that the watcher will be done away with.

" Now, I come to the question of the conduct of elections. The Hon. Minister has suggested that the ballot-box will be according to particular colours of the candidates. I wonder if he has calculated the number of colours? It will not be possible as it would have to be dependent on the number of candidates."

THE HON. SRI B. GOPALA REDDI :—" Under the single member constituency, they would not be large."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Supposing, there are four political groups and a few independent members whom you cannot easily control. Are you sure you can produce 16 colours? Let us not think it is going to be a jigsaw puzzle. With adult franchise, I do not think that Tom, Dick and Harry will contest the elections and that there are difficulties. At the same time, I realize that with an illiterate group of voters, there are other difficulties also. Now, although the party system has come into

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vogue, and many countries are adopting this device of party label, still I must say that if you go through the essentials of democracy as they were defined in the Cromwellian regime, which was the first to be considered as the body of public opinion to think of democratic institutions, you will find that political parties had no place in a democratic form of Government. Each individual came in by virtue of his own right and eminence, whether by intellect or otherwise, and he represented the best that could be found out of that circle, by a vote which can represent the views of the community. Much water, I realize, has flown under the bridge since and, at the same time, I do not know whether this system of colours which was undoubtedly suggested for the first time by the Franchise Commission, is at all the most satisfactory method of dealing with the question.

“ Sir, I come to the last point, namely, free and fair election. I am sure that everybody in this country is anxious that there should be fair and free elections. This question of fair and free election has been unfortunately mixed up with other ideas and gentlemen, who are very responsible, have suggested that to ensure fair and free elections, there should be no Government at all. At least the party in power which forms the Government should be turned out before the elections. I cannot think of a more insensible method of approach to this question of fair and free elections, for if there is need for Government, it is much more at the time of elections than ever before.

3-30
p.m.

“ People who talk of the Ministry being turned out before an election do not realize what forces will be let loose if there is not a stable Government at the most important period of electioneering. We are familiar, much more familiar than the people in other parts of India, through our experience with the methods of elections adopted in a neighbouring part of the country (the Hon. Sri B. Gopala Reddi: ‘ Pondicherry ’) and we do not want to emulate their example. It is true that we are dry and the example may also be a little more dry. But, Sir, what are the facts of the case? For the first time in the electoral history of the country we are conducting elections with a Government in power to supervise some of the methods that may be adopted at election time. I was glad that the hon. Member said that the previous political party which was in power did not interfere with the elections and it certainly did not interfere with the particular opposite political party coming in large numbers. While it is true and I appreciate that compliment, let me also make it clear that till now the elections were conducted with the Law and Order being in the hands of persons who did not belong to any political party and whether it was the election that was conducted from 1921 to 1937 when there was the Reserved Half of the Government to look to elections and not the Transferred Half or whether it was the election conducted in 1946 when there was the Adviser Government attending to elections and not any political party, elections were conducted by people who were not concerned with any political party. That does not detract from

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the compliment that the Hon. Minister made because I know that the party in power never interfered and never sought to interfere and even when certain discrimination was made against that political party, they did not care to interfere. It does not mean that when a political party is in power, things may not go as smoothly. But what I want to ask you is this: There are certain privileges that the Government in power can enjoy and these privileges are well-known and there are certain limitations to the privileges that they can enjoy. I am not at all worried that this Government is in power and I want this Government to be in power. Let me take some of these privileges. The radio is a very fruitful medium of propaganda; it has been so in all countries. In England the British Broadcasting Corporation which is not Government-controlled, does not discriminate between political parties. In fact when propaganda is allowed through the British Broadcasting Corporation the leaders of different political parties are asked to assemble to discuss and to apportion time that ought to be allowed and the days that ought to be given to each one of the leaders to speak through the British Broadcasting Corporation. But in America things are different; there is no Government-owned Broadcasting Corporation and neither is there a Corporation which is subsidized by the Government. America is entirely free and there are three or four of these big broadcasting corporations and each one of them gives complete freedom to anybody to speak provided that necessary dollars can be found by the person who wants to speak. I have listened to these addresses when I was in America in 1948 in connexion with the presidential elections and I know with what gestures and in what language discussions took place but the one thing is that nobody takes them seriously because the ultimate result will be that each one will try to smash the other. Now, what is the position of the All-India Radio of this country with regard to election propaganda? Has this Government, or the Central Government adumbrated any scheme by which the All-India Radio is going to be used whether by the Government officials or by the Ministers or private individuals for any particular purpose of propaganda and what check will there be on the All-India Radio? I am glad that the Government of India itself is bestowing attention upon this particular subject and probably they will see that no political propaganda for a period of, say, fifteen days or a month before the date of the election, shall be indulged in through the All-India Radio. The Government may wish that their policies, their achievements and their mode of conduct should be the subject of a certain amount of propaganda but my point is that they may do it before but not at the time of the elections.

" Then Sir, I refer to Law and Order. My Hon. Friend will bear with me for a while because these are problems that will come to him which will be even more difficult than many problems which he has got to deal with to-day, the question of propaganda, the question of the creation of racial, communal or other hatred, the question of ways and means that are to be adopted by different political parties. It is here that the trouble comes and it is not

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in the ordinary election booth but in the days previous to the election when charges will be made, counter-charges will be made that the Government is partial to this party or this person or that, or this political ideology or that and puts obstacles in the way of that political party to carry its own propaganda. I will readily concede that some of the political parties may actually foment trouble and see how far the Government can be forced to take measures against them for that is one of the methods of securing an electoral triumph and it has been done in many other countries. I want this Government to realize the trend of events and see how far fair elections may not be possible. I may be asked : What is your suggestion? I have been a silent voter at all these elections and I have seen many of them. You are simply dragged into the polling booth where there are great men's portraits

THE HON. SRI B. GOPALA REDDI :—" Within the booth? "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Not within the booth but on the way to it in the narrow street from which you cannot escape—like the Jallianwala Bagh and you have to go through many of them. I do not know if my Hon. Friend has experienced it; perhaps he has not in the rural life of the country where he comes from but if he were in the City of Madras and if he had attended even an ordinary election, he would have realized that there is a great deal that can be said about the methods of coercion. I feel, Sir, that the Government of India and the State Government should come to a conclusion that they will not allow any propaganda to be done some days before the date of the election, no procession, no propaganda, no public meetings for a period—I would have said, for one week, but I shall be content with three days before the date of the election. That should be the general rule. That is one of the proposals that I would make to maintain Law and Order."

THE HON. SRI B. GOPALA REDDI :—" Can you gag the press for three days prior to the elections? "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" The press is not the most important part and I think we are paying too much attention to it."

THE HON. SRI B. GOPALA REDDI :—" What about such publication as the Zinovief letters? "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" If there is a press which undertakes the sort of propaganda like the Zinovief letters, it should be left alone as the Zinovief propaganda was. You will be surprised to know that in the United States of America, the most wild statements are made in the press and nobody takes them seriously. If one section indulges in it another section meets it. But pamphleteering and any type of propaganda must be stopped at least three days before the date of election. I do not suggest that this is an ideal method of regulating it, but this is one of the methods to prevent Law and Order breaking in an election such as we have got to face.

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"The hon. Member, Mr. Ibrahim, wanted dead men not to become alive and alive men not to go dead; that is a very difficult proposition indeed. But the question arises how we are going to get over this question of substitution of personality. I myself figured in a case in a court of law under similar delicate circumstances. I thought I was one of the few who could not be impersonated except it be by the members of my own family (Laughter). Unfortunately, I found from the proceedings of the court that a young man of 22 or 23 years was able to impersonate me; he got into the booth and got the ballot paper. I was all the while trembling whether I shall be called in as a witness in the court but fortunately I escaped. Let me say, Sir, that impersonation will be the order of the day and I ask the Government what steps they are going to take to prevent impersonation. I would suggest the following course. A card is given previous to the date of the election by the Election Commissioner or whoever it may be and the voter takes this card with the number on the roll and shows it with the photograph attached to it to the person sitting in the polling booth. If he is satisfied, he allows him to go and vote; if he is not satisfied, he is prevented from exercising his franchise. I would suggest this course though this would be a costly business but then you do not want the army of people to identify them and you do not have any need for challenged votes. I know, Sir, that this is costly business but I know that there is such a system as mass photography and that is not an idea which can be ridiculed so easily. Let me assure you that there is no other way of preventing impersonation when we have adult franchise; it is only at the time of the elections that the dead come back to life and resurrection takes place (Laughter) on a large scale. I have known it and if we have not taken steps to prevent it, it is because all of us are in a way cowards and we have not seen how this system of mass photography will help us to prevent impersonation."

THE HON. SRI B. GOPALA REDDI :—"Difficulties might also arise there; the Chairman has removed his moustache and he may not be identified for that reason."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"I also suffer from the same disability (laughter) but I am glad to say with moustache or moustacheless, I am recognized."

"That is why I suggest that mass photography must be done (An Hon. Member: 'What about ladies?'), I certainly think that ladies would like it better than men and there is no difficulty in attempting it."

JANAB K. UPPI :—"How is religious objection to be overcome?"

DR. A. LAKSHMANASWAMI MUDALIYAR :—"You need not worry about those who have got religious scruples."

"Lastly, I would beg of the Hon. Finance Minister to take note of what I have said in a spirit of constructive criticism not

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with a view to impede the Government from discharging their task when we are experimenting at a time, at a most difficult time, in a most difficult task that any civilized country has been faced with; let us not, therefore, take it lightly; let us proceed with a great amount of reasoning and if we take care to see that there is some amount of discussion and consultation with different members to see how best we can secure the end we have all in view, I feel that even now with all the difficulties, troubles and turmoils of adult franchise, we may perhaps escape more safely than many other States. Thank you, Mr. Chairman."

THE HON. SRI B. GOPALA REDDI:—"What is the system of voting the hon. Member would suggest for a double-member constituency?"

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Distributive voting."

SRI R. SURYANARAYANA RAO:—"Mr. Chairman, Sir, I also join in the chorus of congratulations to the Hon. Finance Minister for his lucid exposition of the franchise question, its present position, what is proposed and why it is proposed. But that does not mean, Sir, most of us agree with what all he said, or agree with all the proposals he has made. Sir, in the course of the discussion on His Excellency the Governor's Address, I raised the point why this Government did not appoint a committee, call it delimitation committee or franchise committee, whatever may be its appellation, to assist Government in formulating their proposals.

3-45
P.M. "Sir, in the past, if only one looks into the history of franchise in this Province, as the Hon. Minister himself pointed out yesterday, on every occasion of reforms and extension of franchise, Government were assisted by a committee. Sir, this is the only occasion when Government have not chosen to take the assistance of a committee. If a committee had been appointed, as Mr. Lakshmanaswami Mudaliyar pointed out, consisting of representatives of different parties or different groups, perhaps the suggestions it would have made, would have enabled Government to know the strength of feeling between the different systems that can be adopted. It is true, Sir, an Election Commissioner has been appointed; he has made his proposals, and the Government perhaps have considered them and have arrived at their own decision. Sir, it would have been more helpful to Government themselves if such a committee had been appointed. Sir, what I am suggesting is not a novel one; it is not a novel idea at all. In the United Provinces, a committee was set up, and that committee formulated proposals, the Government considered them, and then, they were placed before the Assembly and were debated upon. Sir, similarly, why not also this Government seek the assistance of a similar committee to enable them to frame proposals in accordance, as far as possible, with the wishes of the various parties and groups that exist.

"Then, Sir, we must also pay our tribute to the Election Commission of our Province. Perhaps Commissioners of all provinces deserve our tribute. For, whereas in the past, it took

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two or three years to formulate proposals, this time we have completed our proposals in the record time of eight months. A great Herculean task is being sought to be performed by our Government; and I must say, whatever may be the opinion of certain groups, who may not be satisfied with the nature of work turned out, as far as we know, the work done in our State has been as satisfactory and as thorough as it can be under the circumstances.

Then, Sir, Dr. Lakshmanaswami Mudaliyar and other friends talked about multi-member constituencies. Dr. Lakshmanaswami Mudaliyar also made a suggestion that there may be dual-member constituencies. I do not want to restrict myself to dual-member constituencies. My suggestion is that the principle of multi-member constituencies should be accepted. As regards dual-member constituencies, Government have already accepted the principle in the fact that wherever there are joint electorates with reservation of seats there should be dual-member constituencies. For reservation of seats cannot be done unless there is a dual-member constituency. My point is, even these dual-member constituencies, where reservations are made, should be converted into multi-member constituencies to enable various points of view to be represented in the legislature. Sir, is it contended that in a single-member constituency it will be possible for any minority, however respectable it may be, whether based on political opinion or religious difference, to secure any chance of being represented in the legislature? Sir, this subject engaged once the attention of a provincial committee on delimitation. It was in 1936. They went into this question at great length. Though the majority was in favour of single-member constituency, the minority of that committee have reasoned out at some length why they preferred multi-member constituencies. As their observations sum up to a great extent my arguments in favour of multi-member constituencies. Sir, with your permission, I shall read them. They said :

‘However regrettable this undesirable state of things, such as communal feelings and communal strife they have to be recognized, a Kamma for a Kamma, a Kapu for a Kapu, a Brahman for a Brahman, a Nadar for a Nadar, a Mudaliyar for a Mudaliyar, a Kavandar for a Kavandar, these and other slogans have come into vogue during the past ten years, and it is difficult to say when they will disappear. We are eagerly looking forward to the day when these religious and class antagonisms will be eliminated from the political life of this country. In these circumstances, the selection of single-member constituency in a country consisting of different races, castes and sub-castes, different shades of political opinion and different political parties with different political and social programmes is an unsuitable method of securing proper representation of minority opinion and of the various shades of political opinion in the Legislature. Single-member constituency will perpetuate the domination of a class of individuals and the minority opinion will never have a chance of being represented in the legislature. As pointed out in the Government memorandum, the minorities stand a poor chance of representation. In areas where one caste predominates, all the seats in that area are likely to be captured by that caste. This is a very vital consideration in deciding whether the single-member system should in the present circumstances be adopted in this Presidency.’

MR. CHAIRMAN :—“ How does multi-member constituency representation solve the difficulty? ”

SRI R. SURYANARAYANA RAO :—“ For a respectable minority, a distributive vote will be helpful. If it is a cumulative voting system, it will not be helpful.”

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MR. CHAIRMAN :—" But the minority should be respectable? "

SRI R. SURYANARAYANA RAO :—" Yes; but under a single-member constituency, however respectable a minority may be, it will have no chance of getting representation in the legislature. Then, Sir, how those seats are to be distributed and how the multi-member constituencies should be constituted will depend on the population in each area. About this, we are not aware of anything, because the detailed proposals are not before us.

" Then comes the question of distributive vote or cumulative vote. If multi-member constituencies are to be accepted, then, it will be distributive vote that will have to be accepted. For then only the respectable minority or group will be able to have better chance of its representative being returned. For, if it is cumulative voting, it is just possible that all the votes may be dumped on one candidate and there is no prospect of the respectable minority getting enough number of votes to have its representative returned.

" Sir, this leads me to the question which Mr. Ibrahim pointed out yesterday. Is it possible, if a single-member constituency is adopted for any respectable minority, religious or political, to have representation? Is it possible for a Muslim candidate, who would like to be returned, to come in? Or is it possible for a representative of Labour, for example, to come in, or for the matter of that, is it possible for those special interests, which we would like to be represented in the legislature to obtain a seat at all if a single-member constituency is adopted? Sir, we may not recognize caste or creed. But, is it right for my Hon. Friend, the Hon. Minister, to hold the view that there is no other political party in the Province but the party which he represents."

THE HON. SRI B. GOPALA REDDI :—" Political parties must educate the voters and bring people together on political alignments instead of on other alignments."

SRI R. SURYANARAYANA RAO :—" Sir, are you prepared to provide facilities to enable that political opinion which happens to be in a minority to educate the electorate and see that they get proper representation? Your object in having single-member constituency is to shut out everybody else. At any rate that would be the result. Anybody who runs can read what is the object in having single-member constituency. Sir, you should be generous towards other political parties; and when you are in power you should be more generous than when you are not. Sir, you should see that every political opinion is reflected in the legislature to the extent that it prevails outside the legislature. Instead of that, you are deliberately planning—I use the words deliberately—to shut out all political opinion other than the opinion of the party to which the Hon. Minister belongs. Anybody can see it."

MR. CHAIRMAN :—" That is on the presumption that the Congress opinion is the majority opinion."

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SRI R. SURYANARAYANA RAO :—“ It is so; I do not deny that; it is an undeniable fact and it is evident from the composition of the legislature. But does that represent other opinion, the opinion of the small minority? From the proposal of the Government it is evident that Government want to function without any opposition. Then there will be no necessity to have a steam roller majority even. That, I believe, will be the result.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Did my hon. Friend come in by a Gallup vote? ”

SRI R. SURYANARAYANA RAO :—“ If my hon. Friend, Mr. Lakshmanaswami Mudaliyar, has any doubt, let him await the results from the single-member constituencies. (The Hon. Sri H. Sitarama Reddi : ‘ You will prove a false prophet.’) I hope I will prove a false prophet. But I want to tell him that there is much force in what I say. I want Government to give an opportunity to every section of the public a possibility to have a representation. That is why I suggest multi-member constituencies. So I suggest, to the extent possible, provide seats for all possible groups; do not shut them out by single-member constituency. As you were pleased to say, without the distributive vote, multi-member constituencies are of no avail. The system of cumulative voting would encourage separatist tendencies. If there is cumulative vote in a constituency where a Muhammadan and a Hindu stand, all Muhammadans may vote only for the Muhammadan and not for the Hindu. Cumulative system would not be conducive to the inter-dependence among various communities which the abolition of separate electorates visualises.” 4 p.m.

MR. CHAIRMAN :—“ I think the hon. Member need not worry about it. This Government are not recommending cumulative vote.”

SRI R. SURYANARAYANA RAO :—“ There is no need for cumulative vote in single-member constituencies. After all, the general electorate is only in respect of seats reserved for Scheduled Classes or Scheduled Tribes.”

MR. CHAIRMAN :—“ As the Hon. Minister mentioned in his speech, even in the case of multi-member constituencies, cumulative vote has been given up.”

SRI R. SURYANARAYANA RAO :—“ Mr. K. T. M. Ahamed Ibrahim said yesterday that he wanted cumulative vote with multi-member constituencies. While I am in favour of multi-member constituencies, I am not in favour of cumulative vote. That is my point.

“ As regards the colour box system, it has come to stay. Whether we like it or not, that appears to be the only method by which illiterate adult voters can exercise their franchise. It may be, as Dr. Lakshmanaswami Mudaliyar said, that we will have to devise new colours and combination of colours if there are more candidates in a constituency.” It cannot be helped. I do not know

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whether the Government will give one colour to one party or group or whether there will be different colour boxes in different polling booths. Anyhow that is a matter of detail.

“ As regards the Legislative Council, I plead, as Dr. Lakshmanaswami Mudaliyar pleaded, for single transferable vote with proportional representation in the election for the Teachers and the Graduates Constituencies.”

THE HON. SRI B. GOPALA REDDI :—“ We have decided about the single transferable vote. But we have not come to a decision as to whether it should be two seats or three seats.”

SRI R. SURYANARAYANA RAO :—“ There are only six seats for Teachers and six seats for Graduates, and on that, the State need not be divided. Twenty or twenty-four representatives of graduates are elected to the Senate of the University at a time and there has been no difficulty.

“ As regards local bodies, the Hon. Minister has explained the difficulty. There is no need to prevent us from having both systems for different electorates.”

MR. CHAIRMAN :—“ How long will the Hon. Minister take for reply? ”

THE HON. SRI B. GOPALA REDDI :—“ I will not take more than twenty-five minutes.”

SRI A. GOVINDACHARYULU :—“ Mr. Chairman, Sir, I stand to express myself in an unequivocal manner against single-member constituencies. I have had experience of elections for the last thirty years. Many a time I was the president of the election committee and I have functioned as a dictator in my district. Ever since Montford Reforms, we have had experience of distributive vote, cumulative vote and single transferable vote. I have got personal experience about constituencies and elections. Impartially viewed, our State stands on a different footing so far as elections are concerned when compared with North India. In North India, the question is one of Hindu versus Muslim. Fortunately or unfortunately, in this State the question is one of inter-communal dispute.”

MR. CHAIRMAN :—“ Before the hon. Member proceeds further, I would like to remind him of a predicament in which he once was when he found himself on the horns of a dilemma at the time of voting. I do not know how he is going to support the resolution if it comes to a question of voting.”

SRI A. GOVINDACHARYULU :—“ I may not vote at all. As far as constituencies are concerned, I am against single-member constituencies. I have got freedom to speak so far as this resolution is concerned. It is not a party question. It is a question on which members are left to express their individual views freely.

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"As matters stand in the State to-day, the question is one of Kapu versus Kamma, Kamma versus Reddi, Reddi versus Kapu and so on. My Friend Mr. Gopala Reddi said that only the candidate of the majority community in a constituency will be returned."

THE HON. SRI B. GOPALA REDDI :—"In adult franchise, no individual community can ever claim an absolute majority. Even in a Reddi or Kamma dominated constituency, the Reddis or Kammas will not form a majority by themselves. They will not be more than fifty per cent in any constituency."

SRI A. GOVINDACHARYULU :—"I am quoting in favour of my contention what the Hon. Minister for Finance said yesterday. When our Constitution has abolished separate electorate and reservation of seats for communities, why should we create communal constituencies? There is every certainty of certain communities dominating in single-member constituencies. There is absolutely no doubt about it. Every one of us has got experience of municipal and district board elections. The smaller the constituency, the greater is the communal quarrel that prevails. That is my experience from 1920 onwards and I think every one of the Members will agree with me. A particular caste or community dominates in municipal wards, and in district board constituencies where the unit is a firka. A single-member constituency will not be far more than a firka. It will be about three firkas. When we have framed a Constitution on well-cherished and democratic principles, it is our duty to see that its principles are not violated. When that Constitution has abolished communal electorate, why should we bring in communalism by the backdoor method? Under the proposed system of single-member constituencies, the rule in the Madras State will be a communal rule by the majority community for the majority community. Is this what we want and is it for this that we have suffered for the past thirty years?"

MR. CHAIRMAN :—"How does the hon. Member answer the Hon. Minister's point that in no single-member constituency can any one community claim more than fifty per cent strength?"

SRI A. GOVINDACHARYULU :—"It does not depend upon pure mathematics. I will take for instance the Eluru constituency in the West Godavari district. If my information of how the constituency has been carved out is correct, I daresay one community commands a majority there. The Government have not taken us into confidence and we have no authoritative information. In Eluru constituency, certainly Kammas predominate. In certain other constituencies in West Godavari, one community alone can predominate. They can claim at least as much as forty to fifty per cent strength. I am sorry I have to deny the correctness of the statement of the Hon. Finance Minister. If my information of how the Bhimavaram constituency has been carved out is correct, I daresay that it has been carved out on communal lines."

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THE HON. SRI B. GOPALA REDDI :—" People may dominate by their interests like landed property and things like that, but not numerically."

SRI A. GOVINDACHARYULU :—" Certainly not so. Whoever is responsible for delimiting constituencies and whether it is done intentionally or not, I learn that they are being carved out with a view to give predominance to a particular community. That is why I requested the Hon. Finance Minister yesterday whether he would take the House into his confidence, place the details of the constituencies and take the opinion of the Members on them. I want to verify whether the rumours afloat in the districts are correct or not. I want to maintain the prestige and fair name of the Congress. For anything wrong done, the people will abuse the Congress as a whole and not particular individuals. My advice to the Government is that for heaven's sake let them not carve out constituencies with any person or community in view. I support the suggestion of Dr. A. Lakshmanaswami Mudaliyar that an impartial body belonging to no party should be constituted to carve out the constituencies. The Hon. Sri B. Gopala Reddi said yesterday that he could not maintain the integrity of firkas, taluks and even revenue divisions, that he had to split them up, and that he was able to keep only the districts intact."

THE HON. SRI B. GOPALA REDDI :—" We have maintained the revenue firkas intact as far as possible."

SRI A. GOVINDACHARYULU :—" Then why should he not split up the districts also? The present West Godavari and Krishna districts were only one district prior to the Montague-Chelmsford Reforms. It was a multi-member constituency of four members with distributive vote and the system worked well. Of the four members elected, one was a Kamma, one a Kapu, one a Kshatriya and one a Vaisya. The minority communities also came in and there was no heart-burning.

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p.m. " Now, Sir, if the distributive system of voting is adopted, there will be no trouble at all. So far as this presidency is concerned, our people are well-versed in the distributive system. We had worked this system of voting during the days of the Montford Reforms. Then why should we not try that system of voting, which had proved to be good and which we had experience of? Why should we try to introduce a system of single-member constituency now? In England and in some other western countries, there is the distributive system of voting even to-day. There, the principle of democracy and the rights of citizens are not in any way interfered with or endangered by the adoption of this system. The State upholds the rights of citizens and the citizens uphold the integrity and solidarity of the State. Now it is for us to nourish our infant democracy with tender care and guide it along right and proper lines. I agree with the Hon. Mr. Gopala Reddi that we should not give room for the predominance of any one community in any particular constituency. But my own fear is that

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however much we may try to do so, and whatever steps we might take to prevent the growth of communal parties and communal organizations, there will still be some communities which would try to dominate others, and that is enough to create communal jealousies in the country. We cannot avoid communal constituencies altogether by any system that we could devise. If all constituencies are single-member constituencies, it would be impossible for really deserving people to get themselves returned. What about our learned Chairman? Has he to go to a Kshatriya constituency, where he can command a Kshatriya majority for being returned to the legislature? What about my learned friend Dr. A. Lakshmanaswami Mudaliyar? Has he to go to a Mudaliyar constituency for contesting an election and for being returned to this House? "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" I can assure my hon. Friend, Sir, that I will not go to anybody but I will sit quiet at home."

SRI A. GOVINDACHARYULU :—" Sir, provided a person has got the character, the learning and the capacity and the desire to serve the country, he should be able to choose any party he likes and be able to contest the elections. If he is returned, then he can speak for his party in the legislature."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" I speak for no party in this House, Sir."

SRI A. GOVINDACHARYULU :—" It cannot be said, Sir, that he speaks for no party. There is none in the Justice party who is so well-versed and who has so much capacity, character and learning as my hon. Friend Mr. Lakshmanaswami Mudaliyar."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" I must inform my hon. Friend, Sir, that he is entirely wrong. I was never a member of the Justice party nor am I a member of any political party. The hon. Member may be in many parties besides the Congress party, but I have always been a non-party member."

SRI A. GOVINDACHARYULU :—" I am glad, Sir, and I accept the correction. I wholeheartedly support the system of multi-member constituencies with distributive voting. As far as the suggestion of my hon. Friend Dr. Lakshmanaswami Mudaliyar is concerned, who supported restrictive voting with two-member constituencies, I think it works more or less in the same way as cumulative voting. As I have said just now, we have been accustomed to the system of multi-member constituencies with distributive voting and I therefore suggest to the Government that they should introduce that system again, because it would give an opportunity for the minority communities also to be returned to the legislature. Suppose in a four-member constituency, four candidates belonging to different communities stand for election. These four members will be in a position to accommodate each other and be able to get into the legislature, without a contest, by means of

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this multi-member constituencies and thus bring about communal harmony in their constituencies. I therefore support the multi-member constituencies with distributive voting, because I believe that it is a potent instrument for the unification of the various communities in the country and to put an end to communal bickerings and bring about a calm atmosphere in the country. That is the best way to nourish and foster our infant democracy and guide it along right lines.

“ Sir, my last point is this. Yesterday I wanted to elicit information from the Hon. Minister whether he would be in a position to give this House an opportunity to discuss the detailed proposals for the delimitation of constituencies in this Province. He replied that the Government ‘may’ place them. ‘May’ means ‘may not’ also. I therefore once again press my request upon the Hon. Minister, because already much talk is going on in the districts about the callous way in which the constituencies are being carved out. The Hon. Minister for Finance has not told us how he is going to carve out the constituencies for the Indian Parliament. He said that for the Indian Parliament, for every five divisions one seat would be allotted. But as far as I can judge, it would not work well. Take for instance the West Godavari district. There are four revenue divisions. Suppose you say that the Ellore and Kovvur divisions consist of five seats, then one of these seats should be set apart for the Indian Parliament. Will that be viewed as a just constituency carved out with the best intention and on right principles? You have to carve out the constituency for the Indian Parliament by combining Ellore Revenue division and Bhimavaram Revenue division and then the Narsapur division and the Kovvur division. Then you can give one seat this way and another that way. If necessary, you may tack on some villages to this division or some to the other and adjust the population to make up for the four seats. Instead of doing like that, suppose you say that Tadepalligudem and Bhimavaram and Narsapur taluks form one constituency and the rest of another constituency, then there will be no meaning in carving out constituencies in that way. You may not do it with any particular motive or bad intention, but anyway, if such mistakes are done, it would seriously affect the candidates and the electoral position. That would bring disrepute to the Government and to the Congress party. To avoid such a contingency, I suggest that you should take both the Houses of the Legislature into your confidence, place your detailed proposals before them for discussion and for expressing their opinion upon these proposals. You may get the opinion of the district representatives and leaders of other parties also. Let your Provincial Election Commissioner make his own proposals independently of the recommendations of the Legislature and let all these be sent to the All-India Election Commissioner, to decide in whatever way he thinks best. If that is not done, and if constituencies are carved out as you like or as anybody likes, behind the back of the legislature and behind the back of the representatives of the people, it will only create heart-burning and discontent among the people. Sir, do you know what is

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happening in the districts? Certain other political parties and public men who are dissatisfied with the procedure have already proposed to lead a deputation to the President of the Indian Union and to the All-India Election Commissioner, because they are the final authorities in this matter. If your proposals are sent to them without taking any of these public bodies into consultation, certainly they would think that there is something wrong in this Province and the Government would get disrepute. That is why I suggest to the Hon. Minister to place the detailed proposals of the Government before the Legislature and the public for their opinions and criticisms and then send them on to the Chief Election Commissioner. That is the proper procedure and that will satisfy all parties and avoid discontent among the public and save the reputation of the Government."

THE HON. SRI B. GOPALA REDDI:—" Mr. Chairman, Sir, I am indeed grateful to the various members for having taken part in this debate and for the various suggestions and criticisms they have made and I think the entire proceedings may be forwarded to the Election Commissioner for whatever use he could make of them because he is the person who is to advise the Government of India and the President of the Indian Union on election matters.

" Sir, I reiterate that the Provincial Government could not have actively come into the picture in view of section 13 of the Representation of the People Act, which was recently passed by Parliament, according to which it is the responsibility of the Election Commission and the Parliament to frame these delimitation proposals. So the State Governments do not come into the picture at all. Mr. Sen, who is the All-India Election Commissioner, representing that Commission has asked us to assist him in framing these proposals and we have given to him certain proposals which he can modify or alter as he likes, in consultation with the Speaker's Committee which has been appointed to go into these things and the entire thing will be finalised by the Election Commission. Therefore, what we do is not final and we have no ultimate responsibility in these delimitation proposals. That is my answer, Sir, to the various things said against this Government and for the way in which they have framed these proposals. Sir, whether we like it or not,—perhaps we may not like it—hereafter election disputes will not be dealt with by the State Governments. Hitherto, in any election dispute, the Provincial Government used to appoint a District Judge as an election commissioner to decide such dispute, and he used to enquire and validate or invalidate the election of the contesting candidates. But hereafter, these disputes will be referred to the Election Commission and it is they who will decide the disputes. The Central Government have decided that these delimitation proposals should not be left to the State Government and therefore they have centralised them. It may be good or it may be bad, but they are aiming at uniformity and they do not want any sort of

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interference by the State Governments in election matters. Since the constitutional provisions are somewhat binding on us, we cannot take much responsibilities in these matters.

“ Sir, my hon. Friend Mr. Govindacharyulu has been saying that somebody is thinking something about our proposals and our way of doing things. Sir, there is nothing that we have done for which we need be afraid of, as unjust or improper. We are expecting that these entire proposals will be published by the Election Commissioner and he will himself invite public opinion and public criticism and therefore my hon. Friend will have ample opportunities of looking into our proposals, which we believe would be accepted in full without modification, and offering his remark. I believe that within the next ten days the Election Commissioner would publish our proposals and invite the opinion of the various non-official bodies and also of the legislatures. Then perhaps this House may have an opportunity to discuss these proposals.

“ Sir, the actual details of the delimitation of constituencies,—that is to say, whether a particular firka has been clubbed with another or a particular taluk with another taluk—all these details are not generally scrutinized and approved by the parliament, and we do not generally discuss them in our Assemblies also. My hon. Friend Mr. Narayanaswami Naidu would like one sort of combination of taluks to delimit the constituencies in his constituency to secure a good chance of his being returned without much difficulty and likewise another hon. Member might like his constituency to be delimited in such a manner as to suit him for contesting the elections. And so, it would be very difficult to place these proposals before a big House like the Assembly or the Council for discussing the details. These details must necessarily be left to the executive Government, or to some independent body if you like. The Election Commission is of course an independent body and they will consult the executive and frame their proposals. Take for instance the distribution of wards and circles for the purpose of municipal and district board elections. They are not generally discussed on the floor of the legislature. They are left to the Executive to be settled according to convenience and circumstances. Sir, it would certainly be impossible for the Legislature to go into these detailed matters and therefore we will have to trust somebody to do the job and we should not entertain any suspicion or doubt about his *bona fides*. Otherwise no institution would function. No delimitation proposals would be entirely satisfactory to every member of the House and on that score, no member should entertain any suspicion about the manner in which each constituency has been carved out. Obviously, it would be impossible to manipulate constituencies to favour any particular candidate. Even with regard to the West Godavari district, which my hon. Friend Mr. Govindacharyulu referred, things cannot be gerrymandered as we like, because there are 145,000 voters in a constituency for which one candidate has to stand and he can never be sure of winning over a majority of them by any sort of manipulation. There is also the question of contiguity which has to

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be considered and as far as possible in most cases, we have kept the revenue firka in tact. There is therefore no scope for gerrymandering, even if we are so perverse to re-arrange the constituencies in such a way as to suit certain communal candidates.

“ For instance in West Godavari there is the Eluru Municipality which does not have the necessary 1.45 lakhs population. It has only 70,000. Eluru Municipality will have to be tacked on to a contiguous firka to make up that population of 145,000. Where is the question of gerrymandering then? There cannot be much of gerrymandering. When hon. Members look into the delimitation, they will see that already things have been done well. Members are well versed with the Constitution and they can suggest alternative methods. But somebody must take the responsibility of recommending the delimitation somewhere. The hon. Member Mr. Govindacharyulu need not be anxious. Things have been done properly. We have not split up revenue firkas in an arbitrary manner. He will have ample opportunities of discussing things later. 4-30 p.m.

“ The only question raised was that single-member constituencies fostered communalism, and not multi-member constituencies. Much thought has been bestowed in trying to depict that in single member constituencies we give place to communal feelings. The hon. Member Mr. Govindacharyulu unwittingly stated that when Godavaris and Krishna districts were kept together, the whole system worked well, and with the distributive voting a Kapu, a Kamma and a Kshatriya were returned. This communalism I want to put down. Hereafter we should not think in terms of Kamma and Kapu. In any multi-member constituencies all communities will have a share. That is what the Constitution tries to put down, and that is the point which I want to make out. They stated that in single-member constituencies, there was much greater scope for communalism than in multi-member constituencies. Let them examine it in their own hearts. I am not speaking just now of the political minorities referred to by Dr. A. Lakshmanaswami Mudaliyar and Mr. Suryanarayana Rao. But those who are thinking in terms of multi-member constituencies are people who are anxious whether Muslims will be able to come, or Christians will be able to come or Kammas or Kapus will be able to come. We want to put an end to this communalism, but they want to perpetuate it. Things might have been all right in 1920. We are now in 1950, and we are looking far ahead into the future for casteless and religionless politics to be introduced in our country. How long are we to think in terms of Christians, Kammas and Reddis? We have come to a stage when we will have to think in terms of politics of the State, and concentrate our attention on political issues. Sir, I have been trying to explain to the Assembly also the advantages in single member constituencies. In single-member constituencies there is the tendency to concentrate on political issues. The candidates may say ‘ if you want zamindari abolition, vote for this man;

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if you do not want it, vote for other man'. So the concentration will be on political issues and economic issues as they come up. But in multi-member constituencies, the position will be that any candidate will go to the electorate and say 'I am the only Reddi candidate in this constituency; would you not, being a Reddi, vote for me; I am a double graduate, and I have already been in public life for a long time; therefore, please cast your vote in my favour'. Multi-member constituencies, I am afraid, will perpetuate and foster this communalism. I mean the majority has the right to rule. It is the political majority that has to rule. Though they are not thinking in terms of communities, if in a particular constituency 51 per cent of the people are Kammas, nobody else has the right to go there. It is majority rule whether you like it or not. This is democracy as I understand it. If they should think in terms of community, we must release such forces as will compel them not to think in terms of Kamma or Kapu, and to concentrate on political and economic issues. In a multi-member constituency, if it is a three-member constituency, the tendency will be to go to the party machinery and say 'Sir, I am a Kapu; I am the only Kapu in West Godavari district; would you not select me'. Again, somebody else will say 'I am a Kshatriya, and I am in a minority; would you not please select me?'. That is each candidate will be projecting his communal personality before the electoral machinery, and he will try to get selected by the party. He will even go to the electorate and parade his communal vanity and say 'Even though you are in a majority, you give two votes to Kammas and give two votes to me 'Reddi'. Like this any candidate can go to every household and approach them on this communal ticket. This will not be possible in single-member constituencies where issues will be based on politics and economics. Both Mr. Lakshmanaswami Mudaliyar and Govindacharyulu advocated multi-member constituencies. In West Godavari, in four constituencies, if by chance Kammas predominate, why should they allow men who are non-Kammas to be returned to the legislature? Even in multi-member constituencies with the distributive system of voting, if all the Telagas of that constituency are so perversely communal minded, they will capture all the seats if they happen to be 51 per cent of the strength of the constituency. Then all the 51 per cent will go and vote for the candidates they like, and all the seats will be captured by that particular community. Even there, there is no guarantee that the minority community will have representation. If really we want representation like that, let us have a system of multi-member constituencies with cumulative voting so that all members may plump all their five votes for that particular candidate. In that case, even if 80 per cent of the voters go against him, the candidate is sure to win the election, because, all his community men may plump all their five votes in his favour. If the candidate is sure that all his men will cast all their five votes in his favour, and that they are 17 per cent of the voters, he does not care for what the rest of the voters do,

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because he is sure to be elected. The remaining 80 per cent may decry him or cry hoarse that he is reactionary, and that he is anti-national. Still he will be elected. In a system which has been proposed by my friends of the Muslim League for the representation of minorities like Muslims and Christians, we will have to think for some time to come that we are all Brahmins, all Christians, and all Muslims. If that be so, why have multi-member constituencies with the single non-transferable vote? Why have only one vote? You can just give only one vote to the man of your choice. In Japan and other countries they have tried multi-member constituencies with five members. Simply because some communities are backward or forward, or they are in a minority, or they belong to a religious minority, should they be given representation separately? This will perpetuate communalism. I am having a picture of greater mischief being done in multi-member constituencies than in single-member constituencies. If in a single-member constituency if Telugas are predominant, then no other man will stand there. If he is a Kamma residing there, and if he knows all the Telugas who are the majority are perversely inclined, then he would not stand. But two Telugas will fight, and the Kamma will be in the happy position of preferring which man should be selected. They cannot play on this communal ticket. Where it is a case of absolute majority, two candidates of that community will stand, and the minority communities will be in the happy position to judge which of the two Telugas should be preferred. Wherever they are strong, the minorities shall not tamper with that majority. Where, of course, all communities are balanced, then by slogans or 'slokams' the candidates may try to endear themselves to the electorate. I think we must draw a curtain on what has been done all these years, and try to follow a new form of democratic Government where the tendency must be to concentrate on political and economic issues. For marriage purposes we may think of caste and sub-castes. But for political purposes, somebody for every 1.45 lakhs has to be returned. I have been a Minister of this Government for six years. I am a Reddi. What is it that I have done to the Reddi community? Perhaps Naidus feel sometimes 'Had we belonged to the Reddi community, we would have been better looked after'. We cannot give appointments to persons simply because they are Reddis. Therefore the Reddi community has not benefited simply because I have been a Minister for six years in the Madras Government. I do not think I can say or anybody can say that he has been responsible for the amelioration of the entire community. Mr. Madhava Menon has been the Minister of this Government, and, therefore, it cannot be said that the entire Nair Community has been uplifted. Though we are four Reddis in the Government, still the Reddi community is not any the better for it. In the larger sense—it may be true in a limited manner—it is absolutely immaterial whether somebody belongs to the Naidu community or the Kamma community. The point is that the masses must be looked after and their poverty must be tackled. Agrarian disputes that arise have to be tackled. Industrial problems have to

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be faced. Mr. Veerabhadra Rao is a Vaisya, and what has he done to the Vaisya community? Has he been able to get exemptions for them from the operation of the sales tax? All the same he is a Member of this House, and he is here. We will have to think in terms of single-member constituencies. Single-member constituencies are a potent machinery for ascertaining public opinion. We do not have recourse to referendum in this country on any major issue. In some countries like Switzerland and Australia, major measures have to be referred to the people direct, and their verdict on the measures has to be obtained. Here we have no such provision. We have copied the British system. The only method of ascertaining public opinion is by elections. Single-member constituency is the simplest way, and it is the correct way of eliciting public opinion also. Therefore there is everything to be said in favour of the single-member constituency. Otherwise big countries like the United Kingdom and the United States of America would not have adopted this system. They know the advantages of this system. The need for contact between the candidates and the elector is there. Therefore the single-member constituency is the best. But it has got its own drawbacks. Muslims have been enjoying special representation and weightage. For the first time separate electorate is abolished. Reservation has gone. Weightage has gone. Perhaps in the next election there will be difficulty for some of the people to be accepted by the majority community. But it is only a short-lived phase of our public life. We are looking into the future, and ten years hence I think all these bickerings and rancour will be forgotten, and a new life will be there under adult franchise. It may be for construction or for destruction. It is a bold experiment. We have embarked upon it. I think things must become all right. Otherwise the whole State will go. We need not think in terms of religious minorities. The political minority is there. It is a question whether political minorities should come into the House at all. There are some Communists in Guntur, and if all of them want representation in this House, how can it be done? It cannot be done. Unless they go to the electorate and win them over to their side, they have no right to be here. The Legislature is not the forum. There is the press and the platform, and the entire country is their arena. They can work from those places.

4-45 P.m. "Therefore, the House need not think in terms of giving representation to every political party. At that rate, it seems it will be impossible for any stable Government to work. As I said, single-member constituencies ensure stable majorities, rather than proportional representation. Dr. Lakshmanaswami Mudaliyar said that the system of proportional representation had worked well in the Universities. He asked why it should not work well for the Government. With great respect to him, I want to say that the Universities do not impose taxation. They do not do any of the unpleasant things that Government do such as the maintenance of law and order. They do only very pleasant things except conducting of examinations. Everything else is quite happy there.

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We know what happened in Ireland with the system of proportional representation. De Valera had to face difficulties on account of it. Although the country was generally in his favour, he could not get an absolute majority for himself and for every constituency where there were four members, two were in the Opposition. In Legislatures when Governments have to be formed, when war has to be waged, when peace has to be concluded, when taxation has to be imposed and law and order have to be enforced, proportional representation would not be suitable. It would not give a stable or decent majority for the Government. Every time the Government Member will have to think, 'Will I succeed or will I be defeated? Are all my Members now in the House or have some of them gone to the Moore Market?' Thus the Government cannot be sure of winning a division. Just now we are seeing how the Labour Government is functioning. We see the difficulties that have to be encountered. Where there is no party, proportional representation may work well. In the Madras University there is no party, either Muslim League Party or Congress Party. Everyone is an academician or a teacher and he looks after the interests of the students as to what courses of study should be prescribed. But where you have to form a Government and enforce law and order, proportional representation will not work well.

"All told, the Government need not regret for the proposals that have been submitted and I have a vague feeling that our proposals are going to be adopted throughout the country. Although it might be said that provincial delimitation committees should be appointed, knowing as I do the tendencies of the Government of India, ultimately they will adopt the system of single-member constituencies as a uniform method throughout the country both for our State Assemblies and for the House of the People. Therefore, instead of bolstering up communalism through the backdoor, I want to face it straight and concentrate on political issues. I commend the proposition which I moved on behalf of the Government for the acceptance of the House."

MR. CHAIRMAN:—"Is a vote to be taken on the motion?"

THE HON. SRI B. GOPALA REDDI:—"The whole of the proceedings will be sent to the Election Commission. It is not as if anybody is anxious to secure a victory over another. If it is your wish, let the whole discussion be sent to the Election Commission."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, in view of the fact that the whole discussion will be sent to the Election Commission and in view of the fact that we will have a further opportunity of discussing the detailed proposals, I submit there is no necessity for a vote to be taken now."

JANAB ABDUL LATIF FAROOKHI:—"I agree with the views of Dr. Lakshmanaswami Mudaliyar, Sir."

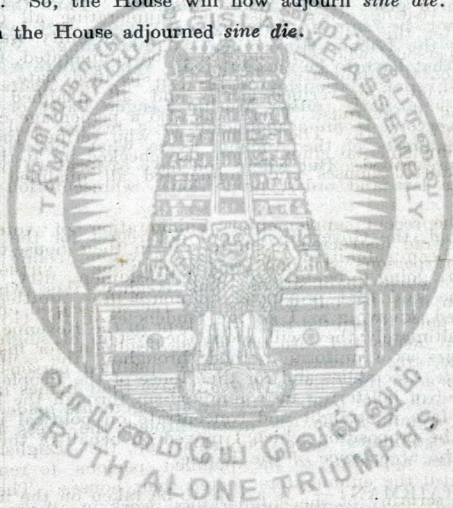
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MR. CHAIRMAN :—" I also hold the same view. The entire proceedings including the amendments will be sent to the Election Commission and we need not take a decision. It will be taken that the matter has been talked over and not talked out."

THE HON. SRI B. GOPALA REDDI :—" Yes, Sir, the amendments need not be withdrawn. There will be no voting. The whole thing will go to the Election Commission."

MR. CHAIRMAN :—" The whole proceedings will go to the Election Commission. Now, there is no other business before the House. We do not know when the other House will pass the other Bills. I am not able to fix a definite date for our next meeting. So, the House will now adjourn *sine die*."

Then the House adjourned *sine die*.



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APPENDIX.

[Vide answer to starred question No. 12-A asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 8th August 1950, page 195 supra.]

Statement on the steps taken for the preparation of electoral rolls and to ensure their correctness.

The general enumeration of voters in 1948 was carried out by enumerators visiting every house and enumerating all qualified persons. After this general enumeration, opportunity was given to qualified persons, who were omitted to be enumerated, to apply for supplemental enumeration before a specified date. These applications were later verified locally and all qualified persons were included in the rolls. There was also a percentage check of the enumerators' work. The enumerators who verified the applications for supplemental enumeration also checked up at the same time any omitted houses and enumerated all qualified persons found therein.

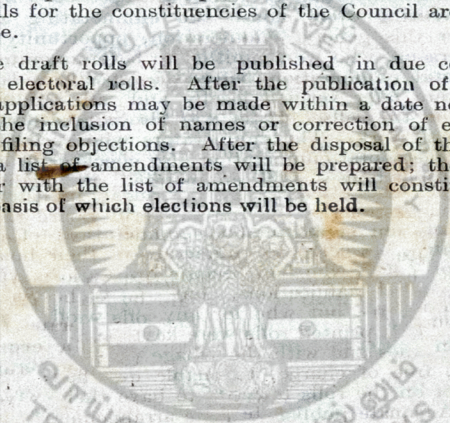
During the recent supplementary enumeration of voters, the enumerators were instructed to enumerate in their house-to-house visits not only persons who had become qualified by virtue of the liberalized franchise qualifications, but also persons who were qualified even in 1948, but who for any reason escaped enumeration then. Copies of printed rolls were kept in the Revenue offices, offices of local bodies and with the village headmen, for inspection by the public, free of charge, to enable qualified persons whose names were not on the rolls to move to have their names included in the rolls. Adequate publicity of the arrangements made for the supplementary enumeration was given through the Press and the Radio. Advertisements were published in the English and language dailies appealing to the qualified persons to remain in their houses till the enumerators visited their houses. There was a percentage scrutiny of the enumerators' work in all areas. All possible steps have thus been taken to secure the correctness and completeness of the draft electoral rolls prepared on the basis of adult suffrage.

The draft electoral rolls for the Local Authorities' Constituencies of the Madras Legislative Council are prepared from the lists of voters furnished by these local authorities themselves. Vide publicity was given regarding the qualifications for voters in the Graduates' and Teachers' Constituencies and qualified persons were invited to apply before a specified date for inclusion as voters in these constituencies. Lists of teachers possessing the requisite qualifications for inclusion as voters in the Teachers' Constituencies were obtained from the heads of all educational institutions coming up to the prescribed standard and the electoral rolls are

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prepared from these lists and the applications received from the voters themselves. The electoral rolls for the Graduates' Constituencies are prepared from the lists of Registered Graduates obtained from the three Universities in the State, the lists obtained from the heads of educational institutions, State and Union Government offices, offices of local bodies, Bar Associations and Clubs and other similar institutions of the graduates employed therein, the lists of voters compiled by the village officers, the executive officers of major panchayats and contonments and the commissioners of Municipalities and the applications received from the voters themselves. The Collectors were asked to collect the information for preparing these rolls in all other possible ways also. Thus all practicable steps have been taken to ensure that the draft rolls for the constituencies of the Council are also correct and complete.

All these draft rolls will be published in due course as the preliminary electoral rolls. After the publication of the preliminary rolls, applications may be made within a date notified in this behalf for the inclusion of names or correction of entries in the rolls or for filing objections. After the disposal of the claims and objections, a list of amendments will be prepared; the preliminary roll together with the list of amendments will constitute the final roll on the basis of which elections will be held.



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TRUTH ALONE TRIUMPHS